

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**STEPHEN DODD,**

**Defendant.**

**No. 06-CR-30167-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Pending before the Court is Defendant's motion for disclosure pursuant to Rule 12.1(a) and (b) of the Federal Rules of Criminal Procedure (Doc. 509). Based on the record, the Court **DENIES** the motion. The disclosure requirements of **Federal Rule of Criminal Procedure Rule 12.1(b)** are applicable in a case in which a notice of an alibi defense has been filed and/ or served upon the Government's counsel. A review of the record, does not reveal that such notice was filed or served. Further, it is not clear from Defendant's motion that he intends to pursue an alibi defense.

**IT IS SO ORDERED.**

Signed this 24th day of November, 2008.

/s/ David R. Herndon

**Chief Judge  
United States District Court**